

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL JACE,

Plaintiff,

v.

MARGARET LIRONES, et al.,

Defendants.

Case No.: 1:22-cv-00419-ADA-CDB (PC)

**ORDER LIFTING STAY OF
PROCEEDINGS**

**ORDER DIRECTING CLERK OF THE
COURT TO ISSUE DISCOVERY AND
SCHEDULING ORDER**

Plaintiff Michael Jace is proceeding pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against Defendant A. Peterson for a violation of the First Amendment.

On July 24, 2023, the Court identified this case as an appropriate case for the post-screening ADR (Alternative Dispute Resolution) project and stayed the action to allow the parties an opportunity to settle their dispute before the discovery process begins. (Doc. 37.) The Court's order granted the parties 45 days within which to opt-in or opt-out of early ADR. (*Id.* at 2.)

On August 29, 2023, Defendant filed a notice to opt-out of early ADR. (Doc. 40.) As a result, the Court will lift the stay and the case will proceed. If the parties wish to set a settlement conference with the Court at a later date, they should so inform the Court. The parties are also reminded that they are not precluded from negotiating a settlement without judicial assistance.

CONCLUSION AND ORDER

For the reasons given above, **IT IS HEREBY ORDERED** that:

1. The stay of this action (Doc. 37) is **LIFTED**;
2. The Clerk of the Court is **DIRECTED** to issue a discovery and scheduling order and a consent/decline form to the parties; and,
3. The parties may proceed with discovery pursuant to the discovery and scheduling order to be issued by separate order.

IT IS SO ORDERED.

Dated: August 30, 2023


UNITED STATES MAGISTRATE JUDGE